

March 31, 2004

CERTIFIED MAIL NO. 7000 0520 0021 6108 2602
RETURN RECEIPT REQUESTED

Mr. Raymond E. May, President
PTP Incorporated
P.O. Box 188
Minden, NV 89423

**Re: Underground Injection Control Permit Application Request for Pine View Estates'
Onsite Wastewater Treatment System**

Dear Mr. May:

This letter is to inform you of federal regulatory requirements governing the operation of Pine View Estates' wastewater treatment system. For clarification, drainfields that inject the sanitary wastewater of 20 or more people per day, such as those existing with Pine View Estates' wastewater treatment system, qualify as Class V injection wells under the Safe Drinking Water Act's Underground Injection Control (UIC) program. The United States Environmental Protection Agency (USEPA) has direct regulatory responsibility for the UIC program on tribal lands to ensure that no injection activities pose a threat to Underground Sources of Drinking Water or public health.

To date, the injection wells at Pine View Estates have been "authorized by rule" to inject sanitary wastewater under 40 C.F.R. §144.24; thus no permit has been required. However, under 40 C.F.R. §§144.12(c)(1) and 144.25(a)(3), USEPA has the authority to require the operator of a Class V injection well to obtain an individual UIC permit if the protection of Underground Sources of Drinking Water requires that the injection operation be regulated by a permit. At this time, USEPA has determined that Pine View Estates must apply for a federal UIC permit to continue to operate its injection wells, because injected effluent from the wastewater treatment systems has the potential to contaminate Underground Sources of Drinking Water.

Pine View Estates must complete the enclosed permit application and return it to USEPA within 45 days from the date of receipt of this letter. Please send the permit application and any accompanying materials to:

Eric Byous
USEPA Region 9
Ground Water Office (WTR-9)
75 Hawthorne Street
San Francisco, CA 94105

If Pine View Estates fails to submit a complete permit application within 45 days of receipt of this letter, or if USEPA denies your permit application, Pine View Estates will no longer be “authorized by rule” to operate the injection wells. This would make continued operation of the injection wells illegal under the Safe Drinking Water Act, and Pine View Estates could be subject to federal enforcement action.

If you have any questions regarding this letter or the attached UIC permit application, please contact Eric Byous at (415) 972-3531 or Lisa Penaska at (415) 972-3544.

Sincerely,

David Albright, Manager
Ground Water Office

Enclosure

cc: Ernest Crowley, Project Manager, Pine View Estates
Curtis Millsap, Bureau of Indian Affairs